

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MFB FERTILITY INC.,)
)
Plaintiff/Counter-Defendant,) Case No. 1:23-cv-03854
)
v.) Honorable John J. Tharp, Jr.
) Magistrate Judge Gabriel A. Fuentes
ACTION CARE MOBILE VETERINARY)
CLINIC, LLC,) JURY DEMAND
)
Defendant/Counter-Plaintiff.)

JOINT DISCOVERY STATUS REPORT

Pursuant to the Court's Order dated October 8, 2025 (Doc. No. 74), Plaintiff/Counter-Defendant, MFB Fertility Inc. ("Plaintiff" or "MFB") and Defendant/Counter-Plaintiff Action Care Mobile Veterinary Clinic, LLC ("Defendant" or "Action Care"), submit this Joint Status Report.¹

Procedural Status/Pending Issues

On May 7, 2025, Defendant filed a Motion for Leave to File its *First Amended Answer, Affirmative Defenses, and Counterclaims*, which motion is fully briefed before the District Court and awaiting ruling.

On December 1, 2025, this Court granted Plaintiff's Agreed Motion for Entry of Protective Order (Doc. No. 76) after which Plaintiff forwarded a proposed protective order to the Court's email inbox. The Court has not yet issued the protective order.

¹ The nature of the claims and counterclaims are set forth more fully in Joint Status Report filed September 5, 2025 (Doc. No. 68) and are incorporated herein.

Discovery Status

On September 4, 2025, Plaintiff served Requests to Admit, Interrogatories, Requests for Documents and a Notice of Rule 30(b)(6) Deposition, and a Notice of Deposition of Diane Krasznay for October 23-24, 2025.

Defendant responded to the written discovery on October 13, 2025. The depositions have been continued pending an ongoing discovery dispute.

On October 4, 2025, Defendant served Requests to Admit, Interrogatories and Requests for Documents. Plaintiff responded on November 3, 2025 and produced documents on December 4, 2025 (after agreement on a protective order was reached).

Thereafter, the parties engaged in a meet and confer with respect to certain discovery issues raised by Plaintiff concerning Defendant's responses. Plaintiff will be filing a Motion to Compel Discovery on or before December 22, 2025, and with respect to the unresolved discovery issues

Defendant intends to forward any concerns it may have with respect to Plaintiff's discovery responses on or before December 22, 2025, after which the parties will meet and confer, if necessary. To the extent there remain any unresolved discovery issues as to Plaintiff's responses, Defendant will file a Motion to Compel on or before Friday, January 30, 2026.

Defendant anticipates deposing Plaintiff's principal Dr. Amy Beckley and, potentially, additional individuals, as may be determined through additional discovery..

Defendant expects that expert discovery will be necessary for calculation of its damages. Plaintiff does not necessarily agree.

Dated: December 18, 2025

Respectfully submitted,

/s/ Gary I. Blackman

Gary I. Blackman (gblackman@lplegal.com)
LEVENFELD PEARLSTEIN, LLC
120 N. Riverside Plaza, Suite 1800
Chicago, IL 60606
Tel.: (312) 346-8380

***Attorneys for Plaintiff/Counter-defendant
MFB Fertility Inc.***

/s/ Ilya G. Zlatkin

Ilya G. Zlatkin (ilya@zce.law)
ZLATKIN CANN ENTERTAINMENT
4245 North Knox Avenue
Chicago, IL 60641
Tel.: (312) 809-8022

***Attorney for Defendant/Counter-plaintiff
Action Care Mobile Veterinary Clinic, LLC***

CERTIFICATE OF SERVICE

I, Gary I. Blackman, an attorney, hereby certify that on December 18, 2025, I caused a true and correct copy of the foregoing to be filed with the Clerk of the Court using the CM/ECF filing system, which will send notification of such filing to all attorneys of record.

/s/ *Gary I. Blackman*